

## **Fire Safety Code**

### **Board of Appeal & Review**

#### **Minutes of 12-21-04 meeting**

**The Fire Safety Code Board of Appeal & Review met in Conference Room C, William Powers Administration Building, One Capitol Hill, Providence, RI on Tuesday, December 21, 2004 at 1:00 PM. The following appeals were considered.**

**Appeal No.: 040178: Mr. Timothy Harris and Mr. Dan Clark (RI Department of Transportation) for the property located at One Franklin Square, Providence. Marshal Cynthia Dehler appeared for the State Fire Marshal's office and Steven Moise appeared for the Providence Fire Department. The Applicant testified that this property is to be sold. The Applicant testified that the sprinkler system is compliant, but as of the hearing date, the fire alarm was not. Commissioner Burlingame made a motion, seconded by Commissioner Newbrook to reduce the occupancy of the assembly on the first floor by 10% if the fire alarm was not compliant, and 20% if the sprinkler system was not compliant, for up to a total of 30% reduction in occupancy for non-compliance until such systems are tested and found to be in compliance. The testing and certifying of both systems must be done by January 3, 2005 or the occupancy will be reduced at that time. This facility was given a 90 day extension to bring the systems into full compliance. The motion was unanimous.**

**Appeal No.: 040179: Mr. Timothy Harris and Mr. Dan Clark (RI Department of Transportation) for the property located at One Franklin Square, Providence. Marshal Cynthia Dehler appeared for the State Fire Marshal's office and Steven Moise appeared for the Providence Fire Department. Commissioner Burlingame made a motion, seconded by Commissioner Newbrook that testing and certifying of both the sprinkler and fire alarm systems must be done by January 3, 2005 or the occupancy will be reduced at that time. This facility was given a 90 day extension to bring the systems into full compliance. The motion was unanimous.**

**Appeal No.: 040475: Mr. Mark Shefling of Pascak Builders and Mr. John Barbato, for the property located at 175 Moscrip Road, North Kingstown (Ocean State Job Lot). Marshal Gordon Walsh appeared for the North Kingstown Fire Marshal's office. A motion was made by Commissioner Coutu, seconded by Commissioner Newbrook to allow the North Kingstown Fire Marshal to authorize a temporary certificate of occupancy for this facility, which contains a compliant fire alarm system. The motion was unanimous.**

**Appeal No.: 040477: Mr. Hal Maturi, for the property located at 31 JP Murphy Highway in West Warwick. Chief Denis Larocque appeared for the West Warwick Fire Marshal's office. A motion was made by Commissioner Pearson, seconded by Commissioner Burlingame, to grant the West Warwick Fire Marshal the authority to issue a**

temporary certificate of occupancy to this facility of mixed usage (business storage/industrial). The Applicant shall limit the height of stored material.. There shall be exit signs and emergency lighting installed at the direction and to the satisfaction of the West Warwick Fire Marshal. The motion was unanimous.

Appeal No.: 040074: Mr. James Moore, owner's representative, for the property located at 72-88 Orange Street in Providence. Inspectors Steve Moise and Joseph Michalczyk appeared for the Providence Fire Marshal's office. Commissioner Pearson made a motion seconded by Commissioner Newbrook to grant the following. A variance was granted on the stair headroom issue due to structural hardship. A dedicated telephone and emergency lighting is to be installed in the elevator lobby at the direction and to the satisfaction of the Providence Fire Marshal's office. The motion was unanimous.

Appeal Numbers 040209, 040210, 040211, 040212, 040213, 040214, 040215, 040216, 040217, 040218, 040219, 040221, 040222 and 040223 for the properties located on Butterfield Road, Complex Road, Farm House Road, Heathman Road and West Alumni Road in Kingston (URI campus). Mr. Kevin Culley appeared for the University of Rhode Island and Chief Deputy Michael DiMascolo and Chief of Inspections William Howe appeared for the State Fire Marshal's office. Commissioner Newbrook made a motion seconded by Commissioner Pearson to accept the University's plan of action to bring all the dormitories into compliance with fire alarm and sprinkler

requirements of the code and to return in September of 2005 to update the Board on the progress being made. The motion was unanimous.

**Appeal No.: 040459:** Mr. Kevin Culley appeared for the property located at One Lincoln Almond Plaza, Kingston. Chief Deputy Michael DiMascolo and Chief of Inspections William Howe appeared for the State Fire Marshal's office. A motion was made by Commissioner Coutu, seconded by Commissioner Newbrook, to accept the Applicant's plan of action for the boat show to be held in February of 2005. The motion was unanimous.

Under old business, a motion was made by Commissioner Coutu, seconded by Commissioner Filippi, to authorize the Providence Fire Marshal's office to issue a temporary certificate of occupancy to the Hotel Providence. The motion was unanimous.

Respectfully submitted,  
Carol Marsella